

**COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

<b>Ordinance No.</b>	<b>Ordinance O-14-03</b>
<b>Introduced By</b>	<b>City Council</b>
<b>Date Introduced</b>	<b>September 4, 2013</b>
<b>First Reading</b>	<b>September 4, 2013</b>
<b>Second Reading</b>	<b>October 7, 2013</b>
<b>Amendments Adopted</b>	
<b>Date Adopted</b>	<b>October 13, 2013</b>
<b>Date Effective</b>	<b>November 3, 2013</b>

**AN ORDINANCE concerning**

**Chapter 59 – Brush, Grass and Weeds**

**FOR** the purpose of repealing in its entirety Chapter 59 – Brush, Grass and Weeds of the Code of the City of Seat Pleasant (the “Code”) and enacting a new Chapter 59 of the Code entitled “Brush, Grass and Trees” for the purposes of clarifying certain provisions to better reflect practices of the City of Seat Pleasant (the “City”) and adopting provisions regarding trees on real property located within the corporate limits of the City; providing for the severability of the provisions of this Ordinance; and generally relating to brush, grass and trees in the City.

**BY**   repealing

Chapter 59 – Brush, Grass and Weeds  
Sections 59-1 through 59-2  
Code of the City of Seat Pleasant (1994 Edition, as amended)

**BY**   adding

Chapter 59 – Brush, Grass and Trees  
Sections 59-1 through 59-4  
Code of the City of Seat Pleasant (1994 Edition, as amended)

**SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that Chapter 59 – Brush, Grass and Weeds of the Code of the City of Seat Pleasant is hereby repealed in its entirety.

**SECTION 2. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that a new Chapter 59 – Brush, Grass and Trees, consisting of Sections 59-1 through 59-4, inclusive, is hereby enacted and added to the Code of the City of Seat Pleasant, to read as follows:

**CHAPTER 59 – BRUSH, GRASS AND TREES**

**§ 59-1. APPLICABILITY.**

THE PROVISIONS OF THIS CHAPTER SHALL APPLY TO THE EXTERIOR PREMISES OF ALL REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SEAT PLEASANT, MARYLAND.

**§ 59-2. BRUSH AND GRASS; HEIGHT LIMITS.**

- A. BRUSH. BRUSH OF ANY KIND (INCLUDING BUT NOT LIMITED TO HEDGES, SHRUBBERY AND BUSHES) BORDERING UPON ANY PUBLIC WAY, STREET OR SIDEWALK SHALL BE MAINTAINED AT A HEIGHT OF THREE FEET OR LESS AND SHALL NOT ENCROACH UPON OR PROJECT OVER ANY SUCH PUBLIC WAY, STREET OR SIDEWALK NOR INTERFERE WITH THE FREE PASSAGE OF PERSONS THEREUPON.
- B. GRASS. GRASS AND WEEDS SHALL BE MAINTAINED AT A HEIGHT OF 8 INCHES OR LESS.

**§ 59-3. TREES.**

NO TREE NOR ANY PART THEREOF (INCLUDING BUT NOT LIMITED TO LIMBS, BRANCHES OR STUMPS), WHETHER DEAD OR ALIVE, NOR ANY BRUSHWOOD OR FIREWOOD, SHALL BE MAINTAINED IN A HAZARDOUS OR DANGEROUS CONDITION TENDING TO CONSTITUTE A THREAT TO LIFE OR PROPERTY AND/OR HARBOR RODENTS, INSECTS OR OTHER VERMIN.

**§ 59-4. VIOLATIONS AND PENALTIES.**

- A. WHEN A VIOLATION OF THIS CHAPTER IS DETERMINED TO EXIST, THE CITY ADMINISTRATOR, OR HIS OR HER DESIGNEE, SHALL PROVIDE WRITTEN NOTICE TO THE OWNER AND/OR OCCUPANT OF THE REAL PROPERTY UPON WHICH SUCH VIOLATION EXISTS AND DIRECT THE ABATEMENT OR CORRECTION THEREOF, AT THE OWNER'S AND/OR OCCUPANT'S EXPENSE, WITHIN A REASONABLE TIME AS SPECIFIED IN THE NOTICE. IF SUCH VIOLATION IS NOT ABATED OR CORRECTED WITHIN THE TIME SPECIFIED IN THE NOTICE, THEN THE CITY SHALL HAVE THE AUTHORITY TO ABATE OR CORRECT THE VIOLATION AND THE COST THEREOF SHALL BE A LIEN ON THE PROPERTY AND MAY BE COLLECTED IN THE SAME MANNER AS DELINQUENT TAXES OR BY A SUIT AT LAW.

- B. A VIOLATION OF THIS CHAPTER SHALL BE PUNISHABLE AS A MUNICIPAL INFRACTION AS SET FORTH IN CHAPTER 110 – MUNICIPAL INFRACTIONS OF THE CODE OF THE CITY OF SEAT PLEASANT AND SUBJECT TO A FINE OF \$400. EACH DAY UPON WHICH A VIOLATION EXISTS SHALL BE DEEMED A SEPARATE OFFENSE.

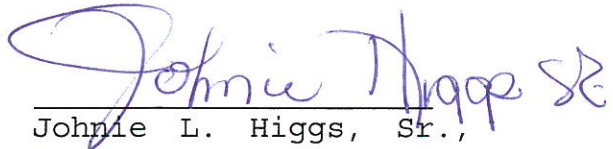
**SECTION 3. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that if any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to be severable.


**SECTION 4. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that, the City Clerk shall certify to the adoption of this Ordinance, and cause the same to be published as required by law; and that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the Council after the veto by the Mayor.

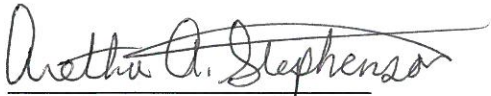
ATTEST:

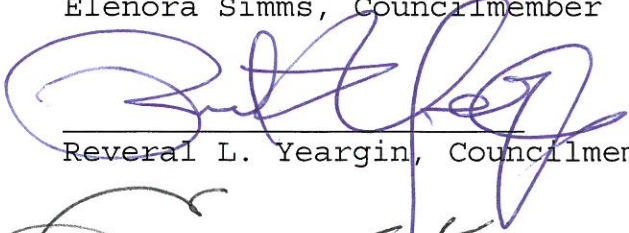
COUNCIL OF THE CITY OF  
SEAT PLEASANT


  
Kelly Porter, Council President  
Councilmember


  
Johnie L. Higgs, Sr.,  
Councilmember

  
Elenora Simms, Councilmember

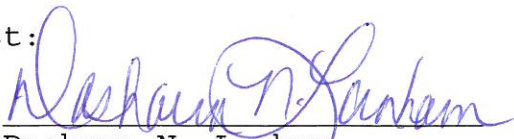
  
Aretha A. Stephenson  
Councilmember

  
Reveral L. Yeargin, Councilmember

  
Gerald R. Raynor, Sr.,  
Councilmember

  
Eugene F. Kennedy, Councilmember

Attest:

  
Dashaun N. Lanham  
City Clerk

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

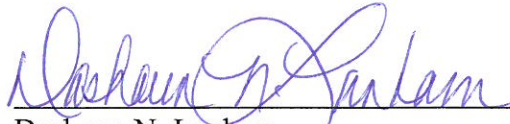
Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

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**APPROVED:**

This Ordinance was presented to the Mayor for his approval of disapproval pursuant to Section C-313 of the Charter of The City of Seat Pleasant this 14<sup>th</sup> day of October, 2013.

  
Dashaun N. Lanham  
City Clerk

In accordance with Section C-313 of the Charter of The City of Seat Pleasant, I hereby **APPROVE/DISAPPROVE** this Ordinance this 14<sup>th</sup> day of October, 2013.

  
Eugene W. Grant, Mayor